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09/980,252	02/21/2002	Yasumasa Mizushima	SON-2058/YAM	9700
7590		04/29/2008		
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			EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APR 28 2008

TECHNOLOGY CENTER 3600

In re Application of:
Yasumasa Mizushima et al.
Application No. 09/980,252
Filed: February 21, 2002
For: CONCENTRATED PHYSICAL
DISTRIBUTION SYSTEM FOR CARGO
AND METHOD THEREFOR

DECISION ON PETITION TO
REQUEST WITHDRAWAL
OF THE FINAL OFFICE ACTION
OF MAY 18, 2007 UNDER
37 C.F.R. 1.181

This decision is in response to the petition filed on August 9, 2007 entitled "Petition under 37 C.F.R. 1.181 to Request Withdrawal of Final Office Action."

File History

A non-final office action mailed on January 3, 2007 indicated that claims 37-43 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Application Publication No. 2005/0091089 to Bjerre.

In the response to said non-final office action, the applicant submitted remarks and added new claims 44-52. However, said applicant did not amend previously presented claims 37-43.

In the final office action of May 18, 2007, the Examiner rejected previously presented claims 37-43 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,151,588 to Tozzoli et al. The Examiner noted that applicant's amendment necessitated the new grounds of rejection presented in the final office action.

The Instant Petition


The Instant Petition requests reconsideration of the finality of the final office action of May 18, 2007.

Decision

A review of the file reveals that the finality of the final office action of May 18, 2007 has been withdrawn and prosecution was reopened pursuant to a panel decision from pre-appeal brief review mailed on January 4, 2008. A non-final Office action was subsequently mailed on March 13, 2008.

The Instant Petition is therefore **DISMISSED as moot**.

Any questions regarding this decision should be directed to Matthew S. Gart, Supervisory Patent Examiner, at (571) 272-3955.



Wynn Coggins, Director
Patent Technology Center 3600
(571) 272-5350

Msg/snm: 4/14/2008

SM